

EXHIBIT A

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ELASTICSEARCH, INC., a Delaware
corporation, ELASTICSEARCH B.V., a Dutch
corporation,

Plaintiffs,

v.

FLORAGUNN GmbH, a German corporation,

Defendant.

Case No. 4:19-cv-05553-YGR

**DECLARATION OF JOCHEN
KRESSIN PURSUANT TO LOCAL
CIVIL RULE 79-5(e)(1) IN
PARTIAL SUPPORT OF
GRANTING PLAINTIFFS'
ADMINISTRATIVE MOTION TO
FILE UNDER SEAL**

I, Jochen Kressin, declare:

1. I am a founder, managing director, and co-CEO of defendant floragunn GmbH ("floragunn"). I make this declaration pursuant to Civil Local Rule 79-5(e) in partial support of redacting or sealing documents filed under seal pursuant to Plaintiffs' September 28, 2021

1 Administrative Motion to File Under Seal (Dkt. No. 202) (the “Sealing Motion”), which seeks
2 to seal material relating to Plaintiffs’ Reply in Support of Motion to Exclude Portions of the
3 Expert Testimony of Brian Buss (Dkt. No. 203) (the “Buss Reply”).

4 2. I make this declaration based on my own personal knowledge. If called as a
5 witness, I could and would testify competently to the matters set forth herein.

6 3. As specified in the Declaration of V. David Rivkin dated October 4, 2021 (the
7 “Rivkin Declaration”), which I understand will be filed concurrently with this declaration,
8 portions of Plaintiffs’ Buss Reply Memorandum of Points and Authorities (“MPA”) contain and
9 relate to floragunn’s highly confidential, proprietary, and sensitive competitive business
10 information. floragunn does not routinely publish this information, and this information is
11 generally considered highly sensitive and kept internal to floragunn. Its disclosure could harm
12 floragunn and benefit its competitors.

13 4. I understand from counsel that portions of the MPA refer to floragunn’s
14 confidential business information relating to, among other things, internal financial information
15 and other sensitive business information, as well as relationships with businesses such as
16 Amazon Web Services, Inc. This material is highly confidential to floragunn, and its disclosure
17 would likely cause substantial harm to floragunn’s competitive position and benefit its
18 competitors. Sealing is therefore necessary to the extent indicated in the accompanying Rivkin
19 Declaration.

20 I declare under penalty of perjury under the laws of the United States of America that the
21 foregoing is true and correct to the best of my knowledge.

22
23 Executed on October 4, 2021 at Berlin, Germany.

24
25
26 
Jochen Kressin

CERTIFICATE OF SERVICE

I am an attorney with Wuersch & Gering LLP, counsel for Defendant in the above-referenced proceeding. I hereby certify that on October 4, 2021 I caused the foregoing Declaration of Jochen Kressin Pursuant to Civil Local Rule 79-5(e)(1) in Partial Support of Plaintiffs' Administrative Motion to File Under Seal to be served electronically via CM/ECF upon Plaintiffs Elasticsearch, Inc. and Elasticsearch B.V.

/s/ Michael Senzer

Michael Senzer